

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Gerald Osby,  
5 Petitioner

6 v.

7 Brian Williams, et al.,  
8 Respondents  
9

2:17-cv-02956-JAD-PAL

**Order Denying Application to Proceed *In*  
*Forma Pauperis***

[ECF No. 6]

10 In this habeas corpus action, I previously ordered pro se petitioner Gerald Osby to pay the  
11 \$5.00 filing fee because, although he had not yet submitted an application to proceed *in forma*  
12 *pauperis*, the financial certificate that he filed indicated that he could afford to pay the filing fee.<sup>1</sup>  
13 Osby has since filed a pauper application, but he has not shown that his financial situation has  
14 changed.

15 Accordingly, IT IS HEREBY ORDERED that Osby's application to proceed *in forma*  
16 *pauperis* [ECF No. 6] is **DENIED**. Osby has **until January 15, 2018, to PAY the \$5.00 filing**  
17 **fee**; failure to do so will result in this action being **DISMISSED without further prior notice**.

18 DATED: January 2, 2018.

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20 U.S. District Judge Jennifer A. Dorsey  
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28 <sup>1</sup> ECF No. 5.